# Treaty of Alliance between His Majesty, in respect of the United Kingdom, and His Majesty the King of Egypt.

*London, August 26, 1936.*

[*Ratifications exchanged at Cairo on December 22, 1936.*]

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Egypt;

Being anxious to consolidate the friendship and the relations of good understanding between them and to co-operate in the execution of their international obligations in preserving the peace of the world;

And considering that these objects will best be achieved by the conclusion of a treaty of friendship and alliance, which in their common interest will provide for effective co-operation in preserving peace and ensuring the defence of their respective territories, and shall govern their mutual relations in the future;

Have agreed to conclude a treaty for this purpose, and have appointed as their plenipotentiaries:—

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as His Majesty The King and Emperor):

For Great Britain and Northern Ireland:

The Rt. Hon. Anthony Eden, M.C., M.P., His Principal Secretary of State for Foreign Affairs.

The Rt. Hon. James Ramsay MacDonald, M.P., Lord President of the Council.

The Rt. Hon. Sir John Simon, G.C.S.I., K.C.V.O., O.B.E., K.C., M.P., His Principal Secretary of State for the Home Department.

The Rt. Hon. Viscount Halifax, K.G., G.C.S.I., G.C.I.E., Lord Privy Seal.

Sir Miles Wedderburn Lampson, K.C.M.G., C.B., M.V.O., His High Commissioner for Egypt and the Sudan.

His Majesty the King of Egypt:

Moustapha El Nahas Pacha, President of the Council of Ministers.

Dr. Ahmed Maher, President of the Chamber of Deputies.

Mohamed Mahmoud Pacha, former President of the Council of Ministers.



DEPARTMENT OF STATE A/CDC/MR
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Ismail Sedky Pacha, former President of the Council of Ministers.

Abdel-Fattah Yehia Pacha, former President of the Council of Ministers.

Wacyf Boutros Ghali Pacha, Minister of Foreign Affairs.

Osman Moharram Pacha, Minister of Public Works.

Makram Ebeid Pacha, Minister of Finance.

Mahmoud Fahmy El-Nokrachi Pacha, Minister of Communications.

Ahmed Hamdi Seif El Nasr Pacha, Minister of Agriculture.

Aly El Chamsi Pacha, former Minister.

Mohamed Helmi Issa Pacha, former Minister.

Hafez Afifi Pacha, former Minister.

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1.

The military occupation of Egypt by the forces of His Majesty The King and Emperor is terminated.

ARTICLE 2.

His Majesty The King and Emperor will henceforth be represented at the Court of His Majesty the King of Egypt and His Majesty the King of Egypt will be represented at the Court of St. James's by Ambassadors duly accredited.

ARTICLE 3.

Egypt intends to apply for membership to the League of Nations. His Majesty's Government in the United Kingdom, recognising Egypt as a sovereign independent State, will support any request for admission which the Egyptian Government may present in the conditions prescribed by Article 1 of the Covenant.

ARTICLE 4.

An alliance is established between the High Contracting Parties with a view to consolidating their friendship, their cordial understanding and their good relations.

ARTICLE 5.

Each of the High Contracting Parties undertakes not to adopt in relation to foreign countries an attitude which is inconsistent with the alliance, nor to conclude political treaties inconsistent with the provisions of the present treaty.

ARTICLE 6.

Should any dispute with a third State produce a situation which involves a risk of a rupture with that State, the High Contracting Parties will consult each other with a view to the settlement of the said dispute by peaceful means, in accordance with the provisions of the Covenant of the League of Nations and of any other international obligations which may be applicable to the case.

ARTICLE 7.

Should, notwithstanding the provisions of Article 6 above, either of the High Contracting Parties become engaged in war, the other High Contracting Party will, subject always to the provisions of Article 10 below, immediately come to his aid in the capacity of an ally.

The aid of His Majesty the King of Egypt in the event of war, imminent menace of war or apprehended international emergency will consist in furnishing to His Majesty The King and Emperor on Egyptian territory, in accordance with the Egyptian system of administration and legislation, all the facilities and assistance in his power, including the use of his ports, aerodromes and means of communication. It will accordingly be for the Egyptian Government to take all the administrative and legislative measures, including the establishment of martial law and an effective censorship, necessary to render these facilities and assistance effective.

ARTICLE 8.

In view of the fact that the Suez Canal, whilst being an integral part of Egypt, is a universal means of communication as also an essential means of communication between the different parts of the British Empire, His Majesty the King of Egypt, until such time as the High Contracting Parties agree that the Egyptian Army is in a position to ensure by its own resources the liberty and entire security of navigation of the Canal, authorises His Majesty The King and Emperor to station forces in Egyptian territory in the vicinity of the Canal, in the zone specified in the Annex to this Article, with a view to ensuring in co-operation with the Egyptian forces the defence of the Canal. The detailed arrangements for the carrying into effect of this Article are contained in the Annex hereto. The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt.

It is understood that at the end of the period of twenty years specified in Article 16 the question whether the presence of British forces is no longer necessary owing to the fact that the Egyptian Army is in a position to ensure by its own resources the liberty and

entire security of navigation of the Canal may, if the High Contracting Parties do not agree thereon, be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present treaty or to such other person or body of persons for decision in accordance with such other procedure as the High Contracting Parties may agree.

*Annex to Article 8.*

1. Without prejudice to the provisions of Article 7, the numbers of the forces of His Majesty The King and Emperor to be maintained in the vicinity of the Canal shall not exceed, of the land forces, 10,000, and of the air forces, 400 pilots, together with the necessary ancillary personnel for administrative and technical duties. These numbers do not include civilian personnel, *e.g.*, clerks, artisans and labourers.

2. The British forces to be maintained in the vicinity of the Canal will be distributed (*a*) as regards the land forces, in Moascar and the Geneifa area on the south-west side of the Great Bitter Lake, and (*b*) as regards the air forces, within 5 miles of the Port Said–Suez railway from Kantara in the north, to the junction of the railway Suez–Cairo and Suez–Ismailia in the south, together with an extension along the Ismailia–Cairo railway to include the Royal Air Force Station at Abu Sueir and its satellite landing grounds; together with areas suitable for air firing and bombing ranges, which may have to be placed east of the Canal.

3. In the localities specified above there shall be provided for the British land and air forces of the numbers specified in paragraph 1 above, including 4,000 civilian personnel (but less 2,000 of the land forces, 700 of the air forces and 450 civilian personnel for whom accommodation already exists), the necessary lands and durable barrack and technical accommodation, including an emergency water supply. The lands, accommodation and water supply shall be suitable according to modern standards. In addition, amenities such as are reasonable, having regard to the character of these localities, will be provided by the planting of trees and the provision of gardens, playing fields, &c., for the troops, and a site for the erection of a convalescent camp on the Mediterranean coast.

4. The Egyptian Government will make available the lands and construct the accommodation, water supplies, amenities and convalescent camp, referred to in the preceding paragraph as being necessary over and above the accommodation already existing in these localities, at its own expense, but His Majesty's Government in the United Kingdom will contribute (1) the actual sum spent by the Egyptian Government before 1914 on the construction of new barracks as alternative accommodation to the Kasr-el-Nil Barracks in Cairo, and (2) the cost of one-fourth of the barrack and technical accommodation for the land forces. The first of these sums shall be paid at the time specified in paragraph 8 below for the withdrawal of the British forces from Cairo and the second at the time for the withdrawal of the British forces from Alexandria under paragraph 18 below. The Egyptian Government may charge a fair rental for the residential accommodation provided for the civilian personnel. The amount of the rent will be agreed between His Majesty's Government in the United Kingdom and the Egyptian Government.

5. The two Governments will each appoint, immediately the present treaty comes into force, two or more persons who shall together form a committee to whom all questions relating to the execution of these works from the time of their commencement to the time of their completion shall be entrusted. Proposals for, or outlines of, plans and specifications put

forward by the representatives of His Majesty's Government in the United Kingdom will be accepted, provided they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. The plans and specifications of each of the works to be undertaken by the Egyptian Government shall be approved by the representatives of both Governments on this committee before the work is begun. Any member of this committee, as well as the Commanders of the British forces or their representatives, shall have the right to examine the works at all stages of their construction, and the United Kingdom members of the committee may make suggestions as regards the manner in which the work is carried out. The United Kingdom members shall also have the right to make at any time, while the work is in progress, proposals for modifications or alterations in the plans and specifications. Effect shall be given to suggestions and proposals by the United Kingdom members, subject to the condition that they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. In the case of machinery and other stores, where standardization of type is important, it is agreed that stores of the standard type in general use by the British forces will be obtained and installed. It is, of course, understood that His Majesty's Government in the United Kingdom may, when the barracks and accommodation are being used by the British forces, make at their own expense improvements or alterations thereto and construct new buildings in the areas specified in paragraph 2 above.

6. In pursuance of their programme for the development of road and railway communications in Egypt, and in order to bring the means of communications in Egypt up to modern strategic requirements, the Egyptian Government will construct and maintain the following roads, bridges and railways:—

(A)—*Roads.*

(i) Ismailia–Alexandria, via Tel-el-Kebir, Zagazig, Zifta, Tanta, Kafr-el-Zayat, Damanhour.

(ii) Ismailia–Cairo, via Tel-el-Kebir and, thence continuing along the Sweet Water Canal to Heliopolis.

(iii) Port Said–Ismailia–Suez.

(iv) A link between the south end of the Great Bitter Lake and the Cairo–Suez road about 15 miles west of Suez.

In order to bring them up to the general standard of good-class roads for general traffic, these roads will be 20 feet wide, have bye-passes round villages, &c., and be made of such material as to be permanently utilisable for military purposes, and will be constructed in the above order of importance. They will comply with the technical specifications set out below which are the ordinary specifications for a good-class road for general traffic.

Bridges and roads shall be capable of carrying a double line of continuous columns of either heavy four-wheeled mechanical transport, six-wheeled mechanical transport or medium tanks. With regard to four-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of the vehicle next ahead shall be calculated at 20 feet, the load on each rear axle to be 14 tons, on each front axle to be 6 tons and the distance between axles 18 feet. With regard to six-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of that next ahead shall be calculated to be 20 feet, between rear axle and middle axle to be 4 feet and between middle axle and front axle 13 feet; the load on each rear and middle axle to be 8·1 tons and on each front axle to be 4 tons. Tanks shall be calculated for as weighing 19·25 tons, to be 25 feet over all in length and to have a distance of 3 feet between the front of one tank and the rear of the next ahead; the load of 19·25 tons to be carried by tracks which have a bearing of 13 feet upon the road or bridge.

(B)—*Railways.*

(i)[1] Railway facilities in the Canal Zone will be increased and improved to meet the needs of the increased garrison in the zone and to provide facilities for rapid entrainment of personnel, guns, vehicles and stores according to the requirements of a modern army. His Majesty's Government in the United Kingdom are hereby authorised to make at their own expense such subsequent additions and modifications to these railway facilities as the future requirements of the British forces may demand. Where such additions or modifications affect railway lines used for general traffic, the permission of the Egyptian Government must be obtained.

(ii) The line between Zagazig and Tanta will be doubled.

(iii) The Alexandria–Mersa Matruh line will be improved and made permanent.

7. In addition to the roads specified in paragraph 6 (A) above, and for the same purposes, the Egyptian Government will construct and maintain the following roads:—

(i) Cairo south along the Nile to Kena and Kus;
(ii) Kus to Kosseir;
(iii) Kena to Hurghada.

These roads and the bridges thereon will be constructed to satisfy the same standards as those specified in paragraph 6 above.

It may not be possible for the construction of the roads referred to in this paragraph to be undertaken at the same time as the roads referred to in paragraph 6, but they will be constructed as soon as possible.

8. When, to the satisfaction of both the High Contracting Parties, the accommodation referred to in paragraph 4 is ready, (accommodation for the forces retained temporarily at Alexandria in accordance with paragraph 18 below not being included) and the works referred to in paragraph 6 above (other than the railways referred to in (ii) and (iii) of part (B) of that paragraph) have been completed, then the British forces in parts of Egypt other than the areas in the Canal Zone specified in paragraph 2 above and, except for those maintained temporarily at Alexandria, will withdraw and the lands, barracks, aircraft landing grounds, seaplane anchorages and accommodation occupied by them will be vacated and, save in so far as they may belong to private persons, be handed over to the Egyptian Government.

9. Any difference of opinion between the two Governments relating to the execution of paragraphs 3, 4, 5, 6, 7 and 8 above will be submitted to the decision of an Arbitral Board, composed of three members, the two Governments nominating each a member and the third being nominated by the two Governments in common agreement. The decision of the Board shall be final.

10. In order to ensure the proper training of British troops, it is agreed that the area defined below will be available for the training of British forces: (*a*) and (*b*) at all times of the year, and (*c*) during February and March for annual manœuvres:—

(*a*) West of the Canal: From Kantara in the north to the Suez–Cairo railway (inclusive) in the south and as far as longitude 31 degrees 30 minutes east, exclusive of all cultivation;
(*b*) East of the Canal as required;
(*c*) A continuation of (*a*) as far south as latitude 29 degrees 52 minutes north, thence south-east to the junction of latitude 29 degrees 30 minutes north and longitude 31 degrees 44 minutes east and from that point eastwards along latitude 29 degrees 30 minutes north.

The areas of the localities referred to above are included in the map (scale 1 : 500,000) which is annexed to the present Treaty.[2]

(1) See note No. 1 on page 20.
(2) A map (scale 1 : 1,000,000) to illustrate the Treaty is annexed.

11. Unless the two Governments agree to the contrary, the Egyptian Government will prohibit the passage of aircraft over the territories situated on either side of the Suez Canal and within 20 kilometres of it, except for the purpose of passage from east to west or *vice versa* by means of a corridor 10 kilometres wide at Kantara. This prohibition will not, however, apply to the forces of the High Contracting Parties or to genuinely Egyptian air organisations or to air organisations genuinely belonging to any part of the British Commonwealth of Nations operating under the authority of the Egyptian Government.

12. The Egyptian Government will provide when necessary reasonable means of communication and access to and from the localities where the British forces are situated and will also accord facilities at Port Said and Suez for the landing and storage of material and supplies for the British forces, including the maintenance of a small detachment of the British forces in these ports to handle and guard this material and these supplies in transit.

13. In view of the fact that the speed and range of modern aircraft necessitate the use of wide areas for the efficient training of air forces, the Egyptian Government will accord permission to the British air forces to fly wherever they consider it necessary for the purpose of training. Reciprocal treatment will be accorded to Egyptian air forces in British territories.

14. In view of the fact that the safety of flying is dependent upon provision of a large number of places where aircraft can alight, the Egyptian Government will secure the maintenance and constant availability of adequate landing grounds and seaplane anchorages in Egyptian territory and waters. The Egyptian Government will accede to any request from the British air forces for such additional landing grounds and seaplane anchorages as experience may show to be necessary to make the number adequate for allied requirements.

15. The Egyptian Government will accord permission for the British air forces to use the said landing grounds and seaplane anchorages, and in the case of certain of them to send stocks of fuel and stores thereto, to be kept in sheds to be erected thereon for this purpose, and in case of urgency to undertake such work as may be necessary for the safety of aircraft.

16. The Egyptian Government will give all necessary facilities for the passage of the personnel of the British forces, aircraft and stores to and from the said landing grounds and seaplane anchorages. Similar facilities will be afforded to the personnel, aircraft and stores of the Egyptian forces at the air bases of the British forces.

17. The British military authorities shall be at liberty to request permission from the Egyptian Government to send parties of officers in civilian clothes to the Western Desert to study the ground and draw up tactical schemes. This permission shall not be unreasonably withheld.

18. His Majesty the King of Egypt authorises His Majesty The King and Emperor to maintain units of his forces at or near Alexandria for a period not exceeding eight years from the date of the coming into force of the present treaty, this being the approximate period considered necessary by the two High Contracting Parties—

(*a*) For the final completion of the barrack accommodation in the Canal zone;

(*b*)(2) For the improvement of the roads—

(i) Cairo–Suez;

(ii) Cairo–Alexandria via Giza and the desert;

(iii) Alexandria–Mersa Matruh;

so as to bring them up to the standard specified in part (A) of paragraph 6;

(*c*) The improvement of the railway facilities between Ismailia and Alexandria and Alexandria and Mersa Matruh referred to in (ii) and (iii) of part (B) of paragraph 6.

(2) See note No. 2 on page 21.

The Egyptian Government will complete the work specified in (*a*), (*b*) and (*c*) above before the expiry of the period of eight years aforesaid. The roads and railway facilities mentioned above will, of course, be maintained by the Egyptian Government.

19. The British forces in or near Cairo shall, until the time for withdrawal under paragraph 8 above, and the British forces in or near Alexandria until the expiry of the time specified in paragraph 18 above, continue to enjoy the same facilities as at present.

ARTICLE 9.

The immunities and privileges in jurisdictional and fiscal matters to be enjoyed by the forces of His Majesty The King and Emperor who are in Egypt in accordance with the provisions of the present treaty will be determined in a separate convention(4) to be concluded between the Egyptian Government and His Majesty's Government in the United Kingdom.

ARTICLE 10.

Nothing in the present treaty is intended to or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Covenant of the League of Nations or the Treaty for the Renunciation of War signed at Paris on the 27th August, 1928.(5)

ARTICLE 11.

1. While reserving liberty to conclude new conventions in future, modifying the agreements of the 19th January and the 10th July, 1899, the High Contracting Parties agree that the administration of the Sudan shall continue to be that resulting from the said agreements. The Governor-General shall continue to exercise on the joint behalf of the High Contracting Parties the powers conferred upon him by the said agreements.

The High Contracting Parties agree that the primary aim of their administration in the Sudan must be the welfare of the Sudanese.

Nothing in this article prejudices the question of sovereignty over the Sudan.

2.(6) Appointments and promotions of officials in the Sudan will in consequence remain vested in the Governor-General, who, in making new appointments to posts for which qualified Sudanese are not available, will select suitable candidates of British and Egyptian nationality.

3. In addition to Sudanese troops, both British and Egyptian troops shall be placed at the disposal of the Governor-General for the defence of the Sudan.

4. Egyptian immigration into the Sudan shall be unrestricted except for reasons of public order and health.

(4) For convention see page 23.
(5) Treaty Series No. 29 (1929) (Cmd. 3410).
(6) See note No. 3 on page 21.

5. There shall be no discrimination in the Sudan between British subjects and Egyptian nationals in matters of commerce, immigration or the possession of property.

6. The High Contracting Parties are agreed on the provisions set out in the Annex to this Article as regards the method by which international conventions are to be made applicable to the Sudan.

*Annex to Article 11.*

1. Unless and until the High Contracting Parties agree to the contrary in application of paragraph 1 of this Article, the general principle for the future shall be that international conventions shall only become applicable to the Sudan by the joint action of the Governments of the United Kingdom and of Egypt, and that such joint action shall similarly also be required if it is desired to terminate the participation of the Sudan in an international convention which already applies to this territory.

2. Conventions to which it will be desired that the Sudan should be a party will generally be conventions of a technical or humanitarian character. Such conventions almost invariably contain a provision for subsequent accession, and in such cases this method of making the convention applicable to the Sudan will be adopted. Accession will be effected by a joint instrument, signed on behalf of Egypt and the United Kingdom respectively by two persons duly authorised for the purpose. The method of depositing the instruments of accession will be the subject of agreement in each case between the two Governments. In the event of its being desired to apply to the Sudan a convention which does not contain an accession clause, the method by which this should be effected will be the subject of consultation and agreement between the two Governments.

3. If the Sudan is already a party to a convention and it is desired to terminate the participation of the Sudan therein, the necessary notice of termination will be given jointly by the United Kingdom and by Egypt.

4. It is understood that the participation of the Sudan in a convention and the termination of such participation can only be effected by joint action specifically taken in respect of the Sudan, and does not follow merely from the fact that the United Kingdom and Egypt are both parties to a convention or have both denounced a convention.

5. At international conferences where such conventions are negotiated, the Egyptian and the United Kingdom delegates would naturally keep in touch with a view to any action which they may agree to be desirable in the interests of the Sudan.

ARTICLE 12.

His Majesty The King and Emperor recognises that the responsibility for the lives and property of foreigners in Egypt devolves exclusively upon the Egyptian Government, who will ensure the fulfilment of their obligations in this respect.

ARTICLE 13.

His Majesty The King and Emperor recognises that the capitulatory régime now existing in Egypt is no longer in accordance with the spirit of the times and with the present state of Egypt.

His Majesty the King of Egypt desires the abolition of this régime without delay.

Both High Contracting Parties are agreed upon the arrangements with regard to this matter as set forth in the Annex to this Article.

*Annex to Article 13.*

1. It is the object of the arrangements set out in this Annex:—

(i) To bring about speedily the abolition of the Capitulations in Egypt with the disappearance of the existing restrictions on Egyptian sovereignty in the matter of the application of Egyptian legislation (including financial legislation) to foreigners as its necessary consequence;

(ii) To institute a transitional régime for a reasonable and not unduly prolonged period to be fixed, during which the Mixed Tribunals will remain and will, in addition to their present judicial jurisdiction, exercise the jurisdiction at present vested in the Consular Courts.

At the end of this transitional period the Egyptian Government will be free to dispense with the Mixed Tribunals.

2. As a first step, the Egyptian Government will approach the Capitulatory Powers as soon as possible with a view to (*a*) the removal of all restrictions on the application of Egyptian legislation to foreigners, and (*b*) the institution of a transitional régime for the Mixed Tribunals as provided in paragraph 1 (ii) above.

3. His Majesty's Government in the United Kingdom, as the Government of a Capitulatory Power and as an ally of Egypt, are in no way opposed to the arrangements referred to in the preceding paragraph and will collaborate actively with the Egyptian Government in giving effect to them by using all their influence with the Powers exercising capitulatory rights in Egypt.

4. It is understood that in the event of its being found impossible to bring into effect the arrangements referred to in paragraph 2, the Egyptian Government retains its full rights unimpaired with regard to the capitulatory régime, including the Mixed Tribunals.

5. It is understood that paragraph 2 (*a*) involves not merely that the assent of the Capitulatory Powers will be no longer necessary for the application of any Egyptian legislation to their nationals, but also that the present legislative functions of the Mixed Tribunals as regards the application of Egyptian legislation to foreigners will terminate. It would follow from this that the Mixed Tribunals in their judicial capacity would no longer have to pronounce upon the validity of the application to foreigners of an Egyptian law or decree which has been applied to foreigners by the Egyptian Parliament or Government, as the case may be.

6. His Majesty the King of Egypt hereby declares that no Egyptian legislation made applicable to foreigners will be inconsistent with the principles generally adopted in modern legislation or, with particular relation to legislation of a fiscal nature, discriminate against foreigners, including foreign corporate bodies.

7. In view of the fact that it is the practice in most countries to apply to foreigners the law of their nationality in matters of "statut personnel," consideration will be given to the desirability of excepting from the transfer of jurisdiction, at any rate in the first place, matters relating to "statut personnel" affecting nationals of those Capitulatory Powers who wish that their Consular authorities should continue to exercise such jurisdiction.

8. The transitional régime for the Mixed Tribunals and the transfer to them of the jurisdiction at present exercised by the Consular Courts (which régime and transfer will, of course, be subject to the provisions of the special convention referred to in Article 9) will necessitate the revision of existing laws relating to the organisation and jurisdiction of the Mixed Tribunals.

including the preparation and promulgation of a new Code of Criminal Procedure. It is understood that this revision will include amongst other matters:—

(i) The definition of the word "foreigner" for the purpose of the future jurisdiction of the Mixed Tribunals;

(ii) The increase of the personnel of the Mixed Tribunals and the Mixed Parquet, which will be necessitated by the proposed extension of their jurisdiction;

(iii) The procedure in the case of pardons or remissions of sentences imposed on foreigners and also in connection with the execution of capital sentences passed on foreigners.

ARTICLE 14.

The present treaty abrogates any existing agreements or other instruments whose continued existence is inconsistent with its provisions. Should either High Contracting ~~Party so request~~, a list of the agreements and instruments thus abrogated shall be drawn up in agreement between them within six months of the coming into force of the present treaty.

ARTICLE 15.

The High Contracting Parties agree that any difference on the subject of the application or interpretation of the provisions of the present treaty which they are unable to settle by direct negotiation shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

ARTICLE 16.

At any time after the expiration of a period of twenty years from the coming into force of the treaty, the High Contracting Parties will, at the request of either of them, enter into negotiations with a view to such revision of its terms by agreement between them as may be appropriate in the circumstances as they then exist. In case of the High Contracting Parties being unable to agree upon the terms of the revised treaty, the difference will be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present treaty or to such other person or body of persons for decision in accordance with such procedure as the High Contracting Parties may agree. It is agreed that any revision of this treaty will provide for the continuation of the Alliance between the High Contracting Parties in accordance with the principles contained in Articles 4, 5, 6 and 7. Nevertheless, with the consent of both High Contracting Parties, negotiations may be entered into at any time after the expiration of a period of ten years after the coming into force of the treaty, with a view to such revision as aforesaid.

ARTICLE 17.

The present treaty is subject to ratification. Ratifications shall be exchanged in Cairo as soon as possible. The treaty shall come into force on the date of the exchange of ratifications, and shall thereupon be registered with the Secretary-General of the League of Nations.

In witness whereof the above-named plenipotentiaries have signed the present treaty and affixed thereto their seals.

Done at London in duplicate this 26th day of August, 1936.

(L.S.) ANTHONY EDEN.
(L.S.) J. RAMSAY MacDONALD.
(L.S.) JOHN SIMON.
(L.S.) HALIFAX.
(L.S.) MILES W. LAMPSON.
(L.S.) MOUSTAPHA EL-NAHAS.
(L.S.) AHMAD MAHER.
(L.S.) M. MAHMOUD.
(L.S.) I. SEDKI.
(L.S.) A. YEHIA.
(L.S.) WACYF BOUTROS GHALI.
(L.S.) O. MOHARRAM.
(L.S.) MAKRAM EBEID.
(L.S.) MAHMOUD FAHMY EL-NOKRACHY.
(L.S.) A. HAMDY SEIF EL NASR.
(L.S.) ALY EL CHAMSI.
(L.S.) M. H. ISSA.
(L.S.) HAFEZ AFIFI.

## Agreed Minute.

The United Kingdom and Egyptian Delegations desire at the moment of signature to record in a minute certain points of interpretation of the provisions of the Treaty of Alliance upon which they are agreed.

These points are as follows:—

(i) It is of course understood that the facilities provided for in Article 7 to be furnished to His Majesty The King and Emperor include the sending of British forces or reinforcements in the eventualities specified in that Article.

(ii) With reference to Article 7, it is understood that as a result of the provisions of Article 6, there will have been mutual consultation between the two Governments in the case of a risk of a rupture. In the case of an apprehended international emergency, the same principle of mutual consultation applies.

(iii) The "means of communication" referred to in the second sentence of Article 7 include telecommunications (cables, telegraphs, telephones and wireless).

(iv) Amongst the military, administrative and legislative measures referred to in the third sentence of Article 7 are included measures under which the Egyptian Government, in the exercise of their powers as regards radio-electric communications, will take into account the requirements of the W/T stations of the British forces in Egypt, and will continue to co-operate with the British authorities to prevent any mutual interference between British and Egyptian W/T stations, and measures providing for the effective control of all means of communications referred to in that Article.

(v) The words "Geneifa area" in paragraph 2 (*a*) of the Annex to Article 8 mean: along the shore of the Great Bitter Lake from a point 3 kilometres North of Geneifa Station to a point 3 kilometres South-East of Fayid Station to a depth of 3 kilometres from the shore of the lake.

(vi) With reference to paragraph 2 (*b*) of the Annex to Article 8, it is understood that the exact sites in the area therein referred to where the air forces will be located will be defined as soon as possible.

The Royal Air Force Depot at present situated at Aboukir will also be transferred to this area not later than the date of the withdrawal of the British forces from Cairo under paragraph 8.

(vii) With reference to paragraph 3 of the Annex to Article 8, it is understood (*a*) that British barrack accommodation includes married quarters for officers and for a proportion of the other ranks, (*b*) that though the site of the convalescent camp cannot be definitely fixed at the moment, El Arish might possibly prove suitable, and (*c*) that the Egyptian Government, in pursuance of the policy which it has already taken in hand for the benefit of the inhabitants of those areas, will take all reasonable sanitary measures for the combating of malaria in the areas adjacent to those where the British forces are situated.

(viii) With reference to paragraph 6 of the Annex to Article 8, it is understood that, with regard to road No. (iii), the Egyptian Government will, unless they are able to make arrangements with the Suez Canal Company for the use of this road by the British and Egyptian forces and for the improvement of those sections which are not already up to this standard so as to satisfy the conditions laid down in paragraph 6, construct an entirely new road connecting these places.

(ix) With reference to paragraph 12 of the Annex to Article 8, it is understood that the number of the detachment referred to shall be limited to the minimum strictly necessary to handle and guard this material.

(x) With reference to paragraph 13 of the Annex to Article 8, it is understood that flying will take place for training purposes mostly over desert areas, and that populated areas will only be flown over where necessity so demands.

(xi) With reference to paragraph 2 of the Egyptian Note relating to military matters, it is of course understood that the cost of the Military Mission will be defrayed by the Egyptian Government, and that the words "proper training" in this paragraph include training in British military colleges and academies.

(xii) Paragraph 2 of the Egyptian Note relating to military matters only applies to persons who are already at the time members of the Egyptian armed forces.

(xiii) The word "equipment" in paragraph 3 of the Egyptian Note relating to military matters, means all such stores as it is desirable for forces acting together to have as a common pattern. It does not include articles of clothing or articles of local production.

(xiv) With reference to paragraph 1 of Article 11, it is agreed that the Governor-General shall furnish to His Majesty's Government in the United Kingdom and the Egyptian Government an annual report on the administration of the Sudan. Sudan legislation will be notified directly to the President of the Egyptian Council of Ministers.

(xv) With reference to paragraph 2 of Article 11, it is understood that, while the appointment of Egyptian nationals to official posts in the Sudan must necessarily be governed by the number of suitable vacancies, the time of their occurrence and the qualifications of the candidates forthcoming, the provisions of this paragraph will take effect forthwith on the coming into force of the Treaty. The promotion and advancement of members of the Sudan Service shall be irrespective of nationality up to any rank by selection in accordance with individual merits.

It is also understood that these provisions will not prevent the Governor-General occasionally appointing to special posts persons of another nationality when no qualified British subjects, Egyptian nationals or Sudanese are available.

(xvi) With reference to paragraph 3 of Article 11, it is understood that, as the Egyptian Government are willing to send troops to the Sudan, the Governor-General will give immediate considera-

tion to the question of the number of Egyptian troops required for service in the Sudan, the precise places where they will be stationed and the accommodation necessary for them, and that the Egyptian Government will send forthwith, on the coming into force of the Treaty, an Egyptian military officer of high rank whom the Governor-General can consult with regard to these matters.

(xvii) With reference to Article 11, as it has been arranged between the Egyptian Government and His Majesty's Government in the United Kingdom that the question of the indebtedness of the Sudan to Egypt and other financial questions affecting the Sudan shall be discussed between the Egyptian Ministry of Finance and the Treasury of the United Kingdom, and as such discussions have already commenced, it has been considered unnecessary to insert in the Treaty any provision in regard to this question.

(xviii) With regard to paragraph 6 of the Annex to Article 13, it is understood that questions relating to this declaration are not subjects for the appreciation of any Courts in Egypt.

Signed in duplicate at London this 26th day of August, 1936.

ANTHONY EDEN,
*His Majesty's Principal Secretary of State for Foreign Affairs.*

MOUSTAPHA EL-NAHAS,
*President of the Egyptian Council of Ministers.*

## NOTES.—LONDON, AUGUST 26, 1936.

### No. 1.

*Moustapha El-Nahas Pacha to Mr. Eden.*

*London, August 26, 1936.*

Sir,

WITH reference to Article 2 of the treaty signed this day, I have the honour to inform Your Excellency that, as His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, will be the first foreign sovereign to be represented in Egypt by an Ambassador, British Ambassadors will be considered senior to the other diplomatic representatives accredited to the Court of His Majesty the King of Egypt.

The provisions of this note are subject to revision at the time and in the conditions provided for in Article 16 of the treaty.

I avail, &c.

MOUSTAPHA EL-NAHAS,
*President of the Council of Ministers.*

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### No. 2.

*Moustapha El-Nahas Pacha to Mr. Eden.*

*London, August 26, 1936.*

Sir,

WITH reference to Article 12 of the treaty signed this day, I have the honour to inform Your Excellency that the Egyptian Government intend to abolish forthwith the European Bureau of the Public Security Department, but will retain, for five years from the coming into force of the treaty, a certain European element in their city police. The said police will remain for the same period under the command of British officers.

With a view to facilitating the gradual substitution of Egyptian officials for the said European element and thereby securing the harmonious working of the police organisation, the Egyptian Government propose to dispense annually with the services of one-fifth of the number of European police officials.

The Egyptian Government, in view of the treaty of friendship and alliance signed to-day, will, when engaging the services of foreign experts, generally prefer British subjects possessing the necessary qualifications.

I avail, &c.

MOUSTAPHA EL-NAHAS,
*President of the Council of Ministers.*

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No. 3.

*Moustapha El-Nahas Pacha to Mr. Eden.*

*London, August 26, 1936.*

Sir,

I WISH to place on record certain further understandings in regard to military matters which have been reached between us in connexion with the Treaty of Alliance signed this day.

(1) British personnel shall be withdrawn from the Egyptian Army and the functions of the Inspector-General and his staff shall terminate.

(2) The Egyptian Government, desiring to perfect the training of the Egyptian Army including the Air Force, and intending, in the interests of the alliance which has been established, that such foreign instructors as they may deem necessary shall be chosen from amongst British subjects only, will avail themselves of the advice of a British Military Mission for such time as they may deem necessary for the purposes aforesaid. His Majesty's Government in the United Kingdom will furnish the Military Mission which the Egyptian Government desire, and will also undertake to receive and provide proper training in the United Kingdom for any personnel of the Egyptian forces which the Egyptian Government may desire to send for the purpose of being trained. In the circumstances created by this treaty the Egyptian Government will naturally not desire to send any personnel of their armed forces to undergo a course in any training establishment or unit abroad elsewhere than in the United Kingdom, provided that this shall not prevent it from sending to any other country such personnel as cannot be received in training establishments and units in the United Kingdom.

(3) In the interests of the Alliance, and in view of the possible necessity of co-operative action between the British and Egyptian forces, the armament and equipment, land and air, of the Egyptian forces shall not differ in type from those of the British forces. His Majesty's Government in the United Kingdom undertake to use their good offices to facilitate the supply of such armament and equipment from the United Kingdom, at prices similar to those which would be paid by His Majesty's Government, whenever the Egyptian Government so desire.

I avail, &c.

MOUSTAPHA EL-NAHAS,
*President of the Council of Ministers.*

## NOTES EXCHANGED IN EGYPT.—AUGUST 12, 1936.

### No. 1.

*Sir Miles Lampson to Moustapha El-Nahas Pacha.*

*The Residency, Ramleh,*
*August 12, 1936.*

Sir,

WITH reference to paragraph 6 (B) (i) of the Annex to Article H (9(1)), your Excellency asked me on behalf of the Egyptian Delegation to communicate information as regards the work which would be required to be done under this paragraph. I have the honour to enclose a statement which gives these details so far as they can be stated at the present moment. This statement is, however, only approximate and further details might have to be added to it.

I avail, &c.

MILES W. LAMPSON,
*High Commissioner.*

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Enclosure in No. 1.

*Approximate Railway Requirements in Canal Zone.*

*Moascar.*

THE existing siding with troop entrainment platform, and one siding with end loading ramp, each to hold "60" unit trains, with facilities to enable a train to be despatched every three hours, will be maintained.

*Geneifa Area.*

(*a*) *Entrainment Station.*—Two sidings with loop entrainment platforms and two sidings with end loading ramps, each to hold "60" unit trains.

(*b*) Depot Area, facilities as given below together with the necessary shunting loops, &c.

Supply Depot: One spur with two loading sidings (each 20 units).
Petrol Depot: One loading siding (10 units).
M.T. Vehicle Reception Depot: One end loading siding (30 Flats).
Ordnance Depot: One spur with one loading and one end loading siding (each 20 units).
Camp Equipment Depot: One loading siding (40 units).
Ammunition Depot: One spur with two loading sidings (each 20 units).

(1) Article 8 in the Treaty as signed.

Hospital Area: One siding and one off-loading platform for one Hospital train.

R.E. Stores Depot: One loading siding (20 units).

N.A.A.F.I. Depot: One loading siding (10 units).

(*c*) Marshalling and Locomotive Yards to enable one personnel train, or one M.T. train, being despatched every three hours throughout the twenty-four.

(*d*) Wharves and other unloading facilities as required.

NOTE.—All loading sidings to have platforms corresponding with the length of the train.

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No. 2.

*Moustapha El-Nahas Pacha to Sir Miles Lampson.*

*Antoniades Palace, Alexandria,*
*August* 12, 1936.

Sir,

WITH reference to paragraph 18 (*b*) of the draft Annex to Article H (9)(8) initialled the 24th July last, I have the honour to inform Your Excellency that the work which is at present being done on the roads Cairo–Alexandria, via Giza and the desert, and Cairo–Suez will be pushed forward and will be completed by the end of 1936.

I avail, &c.

MOUSTAPHA EL-NAHAS,
*President of the Council of Ministers.*

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No. 3.

*Sir Miles Lampson to Moustapha El-Nahas Pacha.*

*The Residency, Ramleh,*
*August* 12, 1936.

Sir,

IN the course of discussions on questions of detail, arising out of paragraph 2 of Article K,(9) the suggestion for the secondment of an Egyptian economic expert for service at Khartum, and the Governor-General's wish to appoint an Egyptian officer to his personal staff as military secretary, were noted and considered acceptable in principle. It was also considered desirable and acceptable that the Inspector-General of the Egyptian Irrigation Service in the Sudan should be invited to attend the Governor-General's Council, when matters relating to his departmental interests were before the Council.

I avail, &c.

MILES W. LAMPSON,
*High Commissioner.*

(8) Article 8 in the Treaty as signed (see page 9).
(9) Article 11 in the Treaty as signed (see page 10).

## Oral Declaration.

*Minute of a Meeting held at the Antoniades Palace, Alexandria, on August 10, 1936.*

At a meeting at the Antoniades Palace on the morning of the 10th August, at which the provisions of the draft treaty relating to the Capitulations and other non-military clauses were under discussion, the following oral declaration was made :—

His Excellency Nahas Pacha, on behalf of the Egyptian Delegation, stated that the absence in the treaty documents of any mention of the Judicial and Financial Advisers meant that the Egyptian Government were free from any restriction of an international character with regard to the retention or non-retention of these officials.

His Excellency the High Commissioner expressed his agreement with the declaration of Nahas Pacha.

# Convention between His Majesty's Government in the United Kingdom and the Egyptian Government concerning the Immunities and Privileges to be enjoyed by the British Forces in Egypt.

*London, August 26, 1936.*

The Government of the United Kingdom of Great Britain and Northern Ireland and the Egyptian Government desiring, in accordance with Article 9 of the Treaty of Alliance signed this day, to settle the position as regards jurisdictional and fiscal matters of the Forces in Egypt of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as His Majesty), have agreed as follows:—

1. In this Convention the expression "British Forces" includes—

(*a*) every person subject to the Naval Discipline Act, the Army Act and the Air Force Act of the United Kingdom (or the corresponding Acts of other parts of His Majesty's dominions) who is stationed with, or attached to, the forces of His Majesty, who are present in Egypt in accordance with the provisions of the Treaty of Alliance;

(*b*) every civilian official of British nationality accompanying or serving with the said forces in Egypt or the Navy, Army and Air Force Institutes, who is either granted relative status as an officer, or holds a pass designating his status, issued by the Appropriate British Authority as hereinafter defined, and who is paid from the funds of any part of the dominions of His Majesty, or the Navy, Army and Air Force Institutes;

(*c*) wives, and children under 21 years of age, of the persons mentioned in paragraphs (*a*) and (*b*) hereof.

2.—(*a*) The expression "Appropriate British Authority" means—

(i) in the case of members of His Majesty's Naval Forces, the Senior Naval Officer for the time being within the territorial waters of Egypt; or in cases where the matter is not within his cognizance, the Commander-in-Chief or other officer for the time being commanding the Mediterranean Station;

(ii) in the case of members of His Majesty's Land Forces, the General or other Officer for the time being commanding the British Troops in Egypt;

(iii) in the case of members of His Majesty's Air Forces, the Air or other Officer for the time being commanding the Royal Air Force in Egypt.

(*b*) Any authority given to, or any act or thing to be done by, to or for, any Appropriate British Authority may be exercised by, or done by, to or for, any other person for the time being authorised in that behalf according to the custom of the particular service of His Majesty concerned.

3.—(*a*) The expression "British Camps" means—

the areas or places which, by virtue of Article 8 of the Treaty and the Annex thereto, have been allocated to the Forces of His Majesty and such other areas as may be so allocated by agreement of both Governments either in addition to or in substitution for the aforesaid areas, and including the temporary camps and bivouacs in the training and manœuvre areas authorised by the Treaty when being used as such.

(*b*) the expression "service aircraft" means any aircraft of His Majesty's Forces.

4. No member of the British Forces shall be subject to the criminal jurisdiction of the Courts of Egypt, nor to the civil jurisdiction of those Courts in any matter arising out of his official duties. If any civil proceeding is instituted against a member of the British Forces before any Egyptian Court, notification of the proceedings shall be given to His Majesty's Ambassador, and no further steps shall be taken until twenty-one days have elapsed from the date of notification. This period shall be extended if His Majesty's Ambassador states that it has not been possible to conclude the necessary investigations in the above time. A statement to the Court by His Majesty's Ambassador that the proceedings arise out of official duties will be considered as conclusive evidence of that fact.

5. Without prejudice to the fact that British camps are Egyptian territory, the said camps shall be inviolable and shall be subject to the exclusive control and authority of the Appropriate British Authorities.

6. In pursuance of the provisions of the Treaty of Alliance, the Egyptian Government hereby consents to the enjoyment by the British Forces of—

(*a*) freedom of movement between British camps, and to or from the ordinary points of access to Egyptian territory by water, land or air; there would of course be consultation with the Egyptian

Authorities as regards movements of large bodies of men, stores or vehicles on railways and roads used for general traffic;

(*b*) unrestricted communication by radio or other telegraphy, telephony or any other means howsoever; and the necessary facilities for maintaining such communications whether inside or outside of British camps, including the laying of cables and land lines; it is understood that the telegraph and telephone cables and lines herein referred to will be situated in the areas where the British Forces are stationed, and that any connection with the Egyptian system of telegraphs and telephones will be subject to arrangement with the Egyptian Authorities;

(*c*) the right within British camps to generate light and power for use in British camps, and to transmit and distribute such light and power between the place of generation and any other British camp by means of cables, pipes or in any other way whatsoever;

(*d*) transmission, subject to the payment of the usual charges, of telegrams and messages over the Egyptian State Telegraphs and Telephones, in clear, in code or in cypher;

(*e*) use of the Egyptian State Railways upon the terms and subject to the conditions now in force;

(*f*) the supply, maintenance and use of telephones as required, as part of and connected with the Egyptian State Telephones service and system, at the rates and upon the conditions now in force;

(*g*) entry into and departure from Egypt of members of His Majesty's Forces at all times without let or hindrance, subject only to the production of a certificate showing membership of the British Forces in cases when such members do not arrive or leave by a British Man of War, Troopship, Freightship, or service aircraft, Service Transport or as a formed body under command of an Officer, Warrant Officer, Non-Commissioned Officer, or Petty Officer;

(*h*) the use of roads, bridges, canals, streams, lakes, waterways and other bodies of water without the payment of dues, tolls, or charges either by way of registration or otherwise for vehicles or water-borne craft used on His Majesty's Service;

(*i*) port facilities free of payment for His Majesty's Men of War, Troopships, Freightships and Service Aircraft of an amphibian or seaplane character;

(*j*) the same immunity regarding the official correspondence of the British Forces and their couriers as is enjoyed in International Law by the Diplomatic representatives of foreign States.

7.—(*a*) Members of the British Forces who are owners of real property shall pay the same taxes, registration and transfer fees in respect of such property and its produce as civilians of British nationality;

(*b*) members of the British Forces shall pay in respect of any privately owned radio receiving or transmitting apparatus the tax or licence fee for the time being in force and applicable to such apparatus;

(*c*) members of the British Forces shall pay the fee for the time being in force for the registration of a private water-borne craft and (subject to the provisions of Article 6 (*b*) hereof) also all dues, charges and tolls leviable in consequence of the user of such craft;

(*d*) members of the British Forces shall pay the tax or registration fee for the time being in force for a private motor vehicle used on any public road maintained by the Egyptian Government or for any privately owned aircraft;

(*e*) the Agreement between the Egyptian Government and the British Military Authorities dealing with imports and exports by the British Naval, Military and Air Force Authorities as well as with imports by individual members of His Majesty's forces and by the Navy, Army and Air Force Institutes, dated the 14th July, 1921, as amended up to the date hereof, shall remain in full force and effect; provided, however, that, in the event of a change in the tariff, either party to the said Agreement shall have a right to demand a revision of the *ad valorem* rates which have been accepted by mutual consent as equivalent to the actual duties and dues chargeable under the tariff now in force. The principle of an *ad valorem* equivalent shall be maintained;

Save as above provided, British camps, the British Forces and the members thereof shall be immune from all taxation, other than Municipal rates for services enjoyed, and from all registration fees or charges unless there has been an agreement between the two Governments to the contrary.

8. The Egyptian Government freely offers every assistance to British aircraft in distress, and will accord full facilities to His Majesty's personnel and stores to proceed to and from the salvage of any aircraft in distress that may have made a forced landing in Egyptian territory.

9. The Appropriate British Authority will surrender, on receipt of an application signed by the appropriate official of the Egyptian Ministry of Justice, persons not being members of His Majesty's Forces and who are within any British camp, and

(*a*) against whom a warrant of arrest has been issued in respect of any offence triable by a court in Egypt; or

(*b*) against whom an order of imprisonment has been made by any court in Egypt; or

(*c*) against whom an order has been issued by an appropriate Egyptian military authority for desertion or absence without leave from the Egyptian army; and

(*d*) who are not immediately ejected therefrom as would ordinarily be done in the case of such persons who take refuge therein from the Police.

Every application for the surrender of an offender, under these provisions shall be accompanied by a certified true copy of the

warrant of arrest or order of imprisonment as the case may be, and by such information as is available as to the identity and whereabouts of the person whose surrender is desired.

10. The Egyptian Government will ensure :—

(*a*) the searching for, apprehending and handing over of any members of the British Forces who are claimed as deserters or absentees without leave, upon request made in writing by the Appropriate British Authority;

(*b*) the prosecution of persons accused of acts in relation to the British Forces which, if committed in relation to the Egyptian Forces, would have rendered them liable to prosecution.

11.—(1) Subject to the provisions of sub-paragraph (*a*) of the preceding Article, members of the British Forces shall be liable to arrest by the Egyptian Authorities only in such circumstances as would justify the arrest of civilians of British nationality. Should any member of the British Forces be arrested the following procedure will be adopted :—

(*a*) Notification of the arrest giving the name and other particulars of the person arrested together with information as to the nature of the offences for which the said person was arrested, will be sent forthwith to the Appropriate British Authority;

(*b*) A similar notification will also immediately be sent to the office of the nearest British Consular Officer;

(*c*) The alleged offender will be handed over on demand to the Appropriate British Authority;

(*d*) Full particulars of the charges against the alleged offender together with the names, addresses and statements of the relevant witnesses will be delivered or sent by registered post to the Appropriate British Authority within 48 hours of the arrest;

(2) When it is alleged that a member of the British Forces has committed an offence for which he has not been arrested, particulars of such alleged offence together with the *procès-verbal* will be sent with all convenient speed to the Appropriate British Authority.

12. The British Forces will send an armed escort into any part of Egypt for the purpose of taking over and escorting to a British camp, any member of the British Forces arrested under the provisions of Articles 10 and 11 hereof.

13.—(*a*) The Egyptian Government undertakes at the request of the appropriate British authority to take all reasonable steps to secure the attendance of persons amenable to its jurisdiction as witnesses before His Majesty's military tribunals in Egypt (courts-martial, courts of inquiry, committees of adjustment, and boards of officers or other service tribunals) convened and assembled by the Appropriate British Authority.

(*b*) The Government of the United Kingdom undertakes to take all reasonable steps to secure the attendance of any member of the British forces as a witness at any proceedings before the Egyptian Courts, including the Mixed Courts, courts-martial, disciplinary tribunals or courts of enquiry, upon application being made to the Appropriate British Authority signed by the appropriate official of the Ministry of Justice or the President of the Tribunal concerned.

14. The Egyptian Government and the Government of the United Kingdom agree that it is desirable that any person, ordered to attend a British military tribunal under Article 13 (*a*) above and who is accused of any of the following offences, should be amenable to prosecution before the appropriate Egyptian Court, that is to say:—

(i) being duly summoned makes default in attending; or
(ii) refuses to take oath or make a solemn declaration legally required to be taken or made; or
(iii) refuses to produce any document in his power or control legally required to be produced by him; or
(iv) refuses when a witness to answer any question to which the tribunal may legally require an answer; or
(v) is guilty of contempt of the tribunal by using insulting or threatening language or by causing interruption or disturbance in the proceedings of such tribunal; or
(vi) when examined on oath or solemn declaration before the tribunal wilfully gives false evidence.

Similarly it is desirable that a person ordered to attend an Egyptian tribunal under Article 13 (*b*) above who commits any of the offences specified above, shall be amenable to prosecution before the appropriate British military tribunal.

The exact manner and the extent, however, to which effect can be given to the two preceding paragraphs of this article depends upon the laws of the United Kingdom and of Egypt respectively, and the two Governments agree that there shall be further discussion at a later date in regard to this matter.

15. Each Government shall pay to the other on demand all reasonable expenses incurred in execution of the provisions of Articles 8, 9, 10 (*a*), 13 (*a*) and 13 (*b*) hereof.

16. The privileges and immunities provided for in the present Convention only apply to persons stationed with or attached to those forces of His Majesty who are present in Egypt in accordance with the provisions of the Treaty of Alliance and as further defined in Article 1 above.

As regards military and air force personnel, the limitations as to numbers provided for in the said Treaty (without prejudice to the provisions of Article 7 thereof) apply.

In witness whereof the undersigned Plenipotentiaries being duly authorised to this effect by their respective Governments have signed the present agreement and affixed thereto their seals.

Done at London in duplicate this 26th day of August, 1936.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

(L.S.) ANTHONY EDEN.

For the Egyptian Government:

(L.S.) MOUSTAPHA EL-NAHAS.

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# PROTOCOL FOR THE AMENDMENT OF THE ANNEX TO ARTICLE 8 OF THE TREATY OF ALLIANCE WITH EGYPT OF AUGUST 26, 1936, WITH AGREED MINUTE.

*Alexandria, September 22, 1938.*

## PROTOCOL.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Egypt;

Whereas His Egyptian Majesty's Government have represented that the cost of the provision of accommodation for the British forces in the zone in the vicinity of the Suez Canal, in accordance with the provisions of the Annex to Article 8 of the Treaty of Alliance signed at London on the 26th August, 1936,(1) has now been discovered to be greater than that estimated by His Egyptian Majesty's Government at the time of the signature of the Treaty, and that His Majesty's Government in the United Kingdom should make a greater financial contribution thereto than that at present laid down in the said Annex; and

Whereas His Majesty's Government in the United Kingdom, animated by their constant desire to collaborate with their Ally, are willing, subject to the approval of the Parliament of the United Kingdom, to increase their financial contribution;

Have decided to conclude an agreement amending the provisions of the said Annex in this respect; and

Have accordingly appointed as their plenipotentiaries for this purpose:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Mr. Charles Harold Bateman, C.M.G., M.C., His Chargé d'Affaires *a.i.*;

His Majesty the King of Egypt:

Mohamed Mahmoud Pasha, President of the Council of Ministers and His Minister of Foreign Affairs *a.i.*;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

### ARTICLE 1.

The following provisions shall be substituted for paragraph 4 of the Annex to Article 8 of the Treaty of Alliance signed between the High Contracting Parties at London on the 26th August, 1936:—

(1) "Treaty Series No. 6 (1937), Cmd. 5360."

*Paragraph 4.*

The Egyptian Government will make available the lands and construct the accommodation, water supplies, amenities and convalescent camp referred to in the preceding paragraph as being necessary over and above the accommodation already existing in these localities, at its own expense, but His Majesty's Government in the United Kingdom will contribute (*a*) the actual sum spent by the Egyptian Government before 1914 on the construction of new barracks as alternative accommodation to the Kasr-el-Nil barracks in Cairo; and (*b*) one-half of the cost of the construction of the accommodation for the land and air forces, and the water and electric supplies, amenities and convalescent camp, and the dwellings of the civilian personnel of the British forces. It is, however, understood that the following items shall not be included for the purpose of assessing the contribution of His Majesty's Government in the United Kingdom:—

(i) The means of communication referred to in paragraph 12 below.

(ii) The railway works, the sidings, &c., required within the areas referred to in paragraph 2 above.

(iii) Such administrative sanitary and public utility services and establishments as are necessary both for the civilian personnel and for other civilians, who are permitted to reside in the zone, and their families.

At the time specified in paragraph 8 below for the withdrawal of the British forces from Cairo, His Majesty's Government in the United Kingdom will pay to the Egyptian Government the sum specified in (*a*) above. They will pay the balance of their contribution at the time for the withdrawal of the British forces from Alexandria under paragraph 18 below. His Majesty's Government in the United Kingdom will also pay annually to the Egyptian Government an agreed sum representing one-half of a fair net rental for the residential accommodation provided for the civilian personnel at the joint expense of the two Governments beginning from the date when this accommodation is taken over by the British authorities.

ARTICLE 2.

The present Protocol is subject to ratification. Ratifications shall be exchanged in Cairo as soon as possible. The Protocol shall come into force on the date of exchange of ratifications and shall thereupon be registered with the Secretary-General of the League of Nations.

In witness whereof the above-named plenipotentiaries have signed the present protocol and affixed thereto their seals.

Done in Alexandria, in duplicate, this 22nd day of September, 1938.

(L.S.) C. H. BATEMAN.

(L.S.) M. MAHMOUD.

## AGREED MINUTE.

(1) While the provisions of the Protocol signed this day have been drawn up in view of the estimates presented by the Egyptian members of the Building Committee at the 30th meeting of the Committee on the 10th May, 1938, and of the accommodation, amenities, &c., which those estimates cover, it is understood that these estimates do not, in the case of the air forces, cover all that is required within the limits of the provisions of the Annex to Article 8, but that the agreement to share the expense equally between the two Governments extends to all estimates within such limits.

(2) In order to ameliorate the conditions of the British forces and the civilian personnel in the areas allocated to the British forces under paragraph 2 of the Annex, the Egyptian Government will permit, at the request of the appropriate British authority, the erection and use for the period provided for in Article 8 by private enterprise of buildings for commercial purposes, *e.g.*, hotels, shops, &c., and the development of grounds for market gardening on sections of those areas delimited for the purpose.

Signed in duplicate at Alexandria, this 22nd day of September, 1938.

C. H. BATEMAN,
*His Britannic Majesty's Charge d'Affaires* a.i.

M. MAHMOUD,
*President of the Egyptian Council of Ministers and His Egyptian Majesty's Minister of Foreign Affairs* a.i.

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